



Addendum to the Candidate Guide to Campaign Finance

(KREF 016/Revised 06/2007)

KENTUCKY REGISTRY OF ELECTION FINANCE

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KREF 016/Addendum 07/2007

INTRODUCTION

This Addendum to the Candidate Guide to Campaign Finance (KREF 016/Revised 06/2007) is to provide clarification relating to campaign finance case law that has recently been addressed by the Registry of Election Finance. It is intended as supplemental information to assist you in understanding and complying with Kentucky's campaign finance laws. The Addendum should be used in conjunction with the new Candidate Guide to Campaign Finance (KREF 016/Revised 06/2007). The specific page numbers noted in the Addendum correspond to the pages in the Candidate Guide to Campaign Finance (KREF 016/Revised 06/2007) where new or Revised text is located. Language underlined in the Addendum indicates new text. By contrast, language that is stricken from a sentence indicates deleted text that is no longer applicable. For questions concerning the Addendum or the Candidate Guide to Campaign Finance (KREF 016/Revised 06/2007), please contact the Registry of Election Finance at (502) 573-2226.

INTRODUCTION

Addendum to the Candidate Guide to Campaign Finance (KREF 016/Revised 06/2007)
Kentucky Registry of Election Finance
140 Walnut Street, Frankfort, KY 40601

Candidate Guide to Campaign Finance (KREF 016/Revised 06/2007)

Addendum to pages 36 and 37

PAC Contributions – Restrictions

KRS 121.150 (24)(a)

PAC contributions may not exceed 50% of a candidate's total contributions for an election or \$10,000, whichever is greater. If PAC receipts exceed the allowable limits, a candidate may within 60 days following the election, adjust his or her percentage of PAC receipts by contributing his or her own money, accepting contributions from those who have not contributed the \$1,000 limit for that election, or returning contributions to PACS that were made after the limit had been reached. Funds carried forward from one election to the next are not considered in making the PAC funds calculation. Remember that the Primary election and General election are two separate elections and require two separate calculations.

Executive Committee Contributions – Restrictions

KRS 121.150(24)(b)

Executive Committee contributions may not exceed 50% of a candidate's total contributions for an election or \$10,000, whichever is greater. If Executive Committee receipts exceed the allowable limits, a candidate may, within 60 days following the election, adjust his or her percentage of Executive Committee receipts by contributing his or her own money to the account, accepting contributions from those who have not contributed the \$1,000 limit for that election, or returning contributions to Executive Committees that were made after the limit had been reached. Funds carried forward from one election to the next are not considered in making the Executive Committee funds calculation. Remember that the Primary election and the General election are two separate elections and require two separate calculations.

Caucus Campaign Committee Contributions – Restrictions

KRS 121.150(24)(c)

Caucus Campaign Committee contributions may not exceed 50% or a candidate's total contributions for an election or \$10,000, whichever is greater. If the Caucus Campaign Committee receipts exceed the allowable limits, a candidate may, within 60 days following the election, adjust his or her percentage of the Caucus Campaign Committee receipts by contributing his or her own money to the account, accepting contributions from those who have not contributed the \$1,000 limit for that election, or returning contributions to the Caucus Campaign Committees that were made after the limit had been reached. Funds carried forward from one election to the next are not considered in making the Caucus Campaign Committee funds calculation. Remember that the Primary election and the General election are two separate elections and require two separate calculations.

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QUESTIONS COMMONLY ASKED BY CANDIDATES

May I accept a contribution I received in the mail after the date of the election?

Candidates may accept contributions after the date of the election ~~to pay any remaining costs or debts of the campaign for that election.~~ The treasurer will need to determine if the contribution is for the current election, or if the contribution should be attributed to the next election for the candidate.

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2007 Important Dates

for Candidates, Slate of Candidates, Permanent Committees (PACs),
Caucus Campaign Committees and Executive Committees

Primary Election Reports

32-day Pre-Primary Report - Due 4/20/2007

(Due for all candidates who elected to spend over \$3,000)

15-day Pre-Primary Report - Due 05/07/2007

(Due for all candidates who elected to spend over \$3,000)

30-day Post-Primary Report - Due 06/21/2007

(Due from all candidates who elected to spend over \$1,000. ALSO – due from Executive Committees and Caucus Campaign Committees)

60-day Post-Primary Report - Due 07/21/2007

~~(Due from all primary winners with debt remaining or losers with debt and/or surplus remaining)~~

(Due from all candidates with debt and/or surplus remaining at the end of the 30-day Post-Primary Report)

General Election Reports

32-day Pre-General Report - Due 10/05/2007

(Due for all candidates who elected to spend over \$3,000)

15-day Pre-General Report - Due 10/22/2007

(Due for all candidates who elected to spend over \$3,000.)

30-day post-General Report - Due 12/06/2007

(Due from all candidates who elected to spend over \$1,000. ALSO – due from Executive Committees and Caucus Campaign Committees)

60-day Post-General Report - Due 01/05/2008

(Due from all candidates with debt and/or surplus remaining at the end of the 30-day Post-General Report)

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2008 Important Dates

for Candidates, Slate of Candidates, Permanent Committees (PACs),

Caucus Campaign Committees and Executive Committees

Primary Election Reports

32-day Pre-Primary Report - Due 4/18/2008

(Due for all candidates who elected to spend over \$3,000)

15-day Pre-Primary Report - Due 05/05/2008

(Due for all candidates who elected to spend over \$3,000)

30-day Post-Primary Report - Due 06/19/2008

(Due from all candidates who elected to spend over \$1,000. ALSO – due from Executive Committees and Caucus Campaign Committees)

60-day Post-Primary Report - Due 07/19/2008

(~~Due from all primary winners with debt remaining or losers with debt and/or surplus remaining.~~)

(Due from all candidates with debt and/or surplus remaining at the end of the 30-day Post-Primary Report)

General Election Reports

32-day Pre-General Report - Due 10/03/2008

(Due for all candidates who elected to spend over \$3,000)

15-day Pre-General Report - Due 10/20/2008

(Due for all candidates who elected to spend over \$3,000)

30-day post-General Report - Due 12/04/2008

(Due from all candidates who elected to spend over \$1,000. ALSO – due from Executive Committees and Caucus Campaign Committees)

60-day Post-General Report - Due 01/03/2008

(Due from all candidates with debt and/or surplus remaining at the end of the 30-day Post-General Report)

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Supplemental Reporting

KRS 121.180(7); 32 KAR 2:100

If a candidate's 30-day post-election report shows an unexpended balance or outstanding debt, he or she is required to file a supplemental report within 60 days after the election.

The Registry has promulgated an administrative regulation (32 KAR 2:100) to simplify the candidate's bookkeeping and reporting as explained below.

If you are a successful primary candidate and you will be going on to run in the general election, you should close out your primary reporting as follows:

- Pay all the bills.
- Simply indicate any disbursements made on your supplemental report, show any remaining debts you owe, and sign the "Certificate of Debt Assumption" at the bottom of Schedule 4 of the Election Finance Statement.
- When you file your first report for the general election, indicate the funds you have carried forward from the primary.
- Any expenses incurred or contributions received after the date of the primary should be reflected on your 32-day pre-general election report rather than on your 60-day supplemental. (Note: reporting periods overlap)
- Any expenses incurred after the date of the primary election that are primary election expenses should be reflected on your post-election finance statement. Any expenses incurred after the date of the primary election that are general election expenses should be reflected on your 32-day pre-general election finance statement rather than on your 60-day post-primary election supplemental finance statement. (Note: reporting periods overlap)
- Any contributions received after the date of the primary election should be reflected on your 32-day pre-general election finance statement, unless the face of the check or accompanying check documentation indicates otherwise.

If you are ~~an unsuccessful primary candidate or a general election~~ a candidate and your 30-day post election report shows an unexpended balance or outstanding debt, you are required to file a supplemental report within 60 days after the election.

For disposition of unexpended campaign funds, see page 107.

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This is an example of surplus funds being transferred from the candidate's previous campaign.

BALANCE TRANSFER

1. Contributor Name and Address Contributor Occupation and Employer Spouse's Name, Occupation and Employer	2. Date of Receipt _____ 3.Type of Contribution	4a. Contribution by Check or Written Instrument	4b. Description and Value of In-Kind	4c. Other Receipts	5. Cumulative for Election (per Contributor)
Primary Campaign Funds Balance Transfer	<u>8/01/2007</u> ___ Direct from Candidate ___ Loan from Candidate ___ Direct from a person or authorized entity ___ Fundraising Event ___ Fundraiser (person) ___ In-kind <u>X</u> Other: _____			\$3,000	\$3,000

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This is an example of surplus funds being transferred to the candidate's next campaign.

1. Name and Address of Person or Business Paid List Occupation if Paid to a Person	2. Purpose of Disbursement (Be specific)	3. Date of Disbursement	4. Amount Disbursed
Joe Candidate Campaign	Balance transfer to the general election fund	<u>7/21/2007</u>	\$3,000